

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-CV-218-BO(2)

CHARLES DEGRAFFENRIEDT,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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ORDER

This case is before the court on Plaintiff's Motion for Leave to Take More than Fifteen Depositions [DE #77]. The scheduling order previously entered in this case limited each of the parties to fifteen depositions but expressly reserved the right to take additional depositions with leave of court. Defendant has responded in opposition to Plaintiff's motion, and the matter is ripe for disposition. Also pending before the court are Plaintiff's Motion to Determine the Sufficiency of Defendant's Objections and Responses to Plaintiff's Requests for Admissions and to Deem Requests Admitted or, in the Alternative, to Compel Further Responses [DE #67] and Plaintiff's Motion to Stay the Discovery Period [DE #82].

I. Plaintiff's Motion for Leave to Take More than Fifteen Depositions

The court has carefully considered the parties' arguments with respect to Plaintiff's motion for leave to conduct additional depositions. This court previously ordered that Plaintiff "shall be permitted to conduct a two-hour deposition of [Helene] Bayona to inquire into the facts obtained and procedure used by Burroughs in his investigation and interview of witnesses concerning the underlying incident." (Order dated Feb. 1, 2016 [DE #74].) This deposition shall be permitted in addition to the fifteen depositions allowed pursuant to the scheduling order previously entered in this case, and Plaintiff shall have thirty days to conduct the deposition. Plaintiff's motion to

conduct any additional depositions in excess of the limitations set forth in the scheduling order is denied.

II. Plaintiff's Motion to Stay the Discovery Period

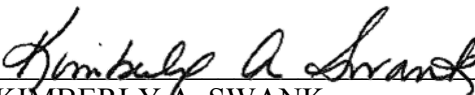
In light of the court's ruling with respect to Plaintiff's motion to conduct additional depositions, Plaintiff's motion to stay discovery is moot.

CONCLUSION

Plaintiff's Motion for Leave to Take More than Fifteen Depositions [DE #77] is GRANTED in part and DENIED in part and Plaintiff's Motion to Stay the Discovery Period [DE #82] is DISMISSED as moot.

It is further ORDERED that counsel for the parties shall meet, *in person or by telephone*, and confer regarding Plaintiff's Motion to Determine the Sufficiency of Defendant's Objections and Responses to Plaintiff's Requests for Admissions and to Deem Requests Admitted or, in the Alternative, to Compel Further Responses in an attempt to resolve any outstanding disputes raised in that motion. On or before **June 10, 2016**, counsel shall submit a joint report of their meeting, informing the court of the status of Plaintiff's motion and specifically identifying any issues resolved and any issues that remain outstanding.

This 23rd day of May 2016.


KIMBERLY A. SWANK
United States Magistrate Judge